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PATENT

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Attorney Docket No. 5725.0321-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Bertrand PIOT et al. ) Group Art Unit: 1617  
Application No.: 09/866,731 ) Examiner: G. Yu  
Filed: May 30, 2001 )

For: MASCARA COMPRISING A MIXTURE OF HARD WAXES  
AND FILM-FORMING POLYMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT AND SUBMISSION UNDER 37 C.F.R. § 1.114**

Concurrent with the Request for Continued Examination under 37 C.F.R.

§ 1.114(a) filed herewith, please consider the claims in light of this Amendment and Submission under 37 C.F.R. § 1.114(c). This paper replies to the Final Office Action dated December 31, 2002, and is timely in view of the Notice of Appeal filed June 27, 2003.

This amendment is being submitted in the new format as described in the *Official Gazette* on June 30, 2003.

Please amend the application as follows:

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